

SEXUAL HARASSMENT

SCOPE

The City of Baltimore does not tolerate workplace sexual harassment, whether it involves co-worker harassment, harassment by a supervisor or manager, or harassment by persons doing business on behalf of the City of Baltimore. Sexual harassment violates an employee's fundamental rights and personal dignity, as well as state and federal law. Sexual harassment may also adversely affect an employee's productivity and morale.

The purpose of this policy is to define sexual harassment, provide guidelines to an employee who believes that he/she has been subjected to sexual harassment, provide procedures that management can use to investigate sexual harassment claims, and ensure that violations are remedied.

SEXUAL HARASSMENT DEFINED

“Unwelcome sexual advances, request for sexual favors and other verbal and physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.”

While sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include:

- Promising, directly or indirectly, an employee a reward, if the employee complies with a sexually oriented request;
- Threatening, directly or indirectly, to retaliate against an employee, if the employee refuses to comply with a sexually oriented request;
- Denying, directly or indirectly, an employee an employment-related opportunity, if the employee refuses to comply with a sexually oriented request;
- Engaging in sexually suggestive physical contact or touching another employee in a way that is unwelcome;
- Displaying, storing, or transmitting pornographic sexually oriented materials using the City's equipment or facilities;
- Engaging in indecent exposure;
- Making sexual or romantic advances toward an employee and persisting despite the employee's rejection of the advances;

- Unwanted sexual jokes, flirtations, or propositions, or obscene comments or gestures of a sexual nature made in the presence of others;
- Unwanted or suggestive leering, whistling, pinching or insulting; or inappropriate comments based on an employee's sex (e.g., commenting on an employee's menstrual cycle or private body parts).

These types of behavior are unacceptable at any City work location, or in such work settings as business trips, and at business related social events. All City employees, and particularly managers and supervisors, have a responsibility for keeping the work environment free of harassment.

Sexual harassment can be physical and/or psychological in nature. An aggregation of a series of incidents can constitute sexual harassment even if one of the incidents considered on its own would not be harassing.

Employees wishing to view this policy in its entirety, may do so by visiting the City of Baltimore intranet site from a City connected workstation.

Employees who believe they are victims of sexual harassment may file a complaint with the agency Equal Opportunity Compliance Office by calling (410) 396-4704 or (410) 396-7298, or with any of the following agencies:

Baltimore City Community Relations Commission

Equitable Building
 10 N. Calvert Street, Suite 915
 Baltimore, MD 21202
 (410) 396-3141
 Alvin O. Gillard, Director
 Web Site: www.ci.baltimore.md.us/government/community.html

Equal Employment Opportunity Commission

City Crescent Building
 10 S. Howard Street, 3rd Floor
 Baltimore, MD 21201
 (410) 962-3932
 Marie M. Tomasso, Acting District Director
National Contact Center: 1 (800) 669-4000
 Web Site: www.eeoc.gov

Maryland Commission on Human Relations

William Donald Schaefer Tower
 6 Saint Paul Street, 9th Floor
 Baltimore, MD 21202

(410) 767-8600

Henry B. Ford, Executive Director

Web Site: www.mchr.state.md.us